

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

In re 900 LINDEN BLOCK DEVELOPMENT,
LLC, a California limited liability company,

Debtor.

No. C 13-05288 SI

**ORDER GRANTING MOTION TO
WITHDRAW AND STAYING ACTION
SO THAT APPELLANT MAY OBTAIN
REPLACEMENT COUNSEL**

900 LINDEN BLOCK DEVELOPMENT, LLC,

Appellant,

v.

UNITED STATES TRUSTEE,

Appellee.

A motion for leave to withdraw as counsel filed by Tracy Henderson, counsel for debtor/appellant 900 Linden Block Development, LLC, came on for oral argument on December 13, 2013. Although no written opposition was filed, Mr. Koray Ergur, debtor's Managing Agent, appeared in person at the hearing and argued against the motion to withdraw. For the reasons discussed at the hearing and for good cause shown, the Court GRANTS the motion to withdraw effective sixty (60) days from the date this order is filed. In addition, the Court ORDERS Ms. Henderson to provide debtor/appellant with an electronic copy of all discovery she has in her possession, as discussed at the hearing, by **Friday, December 20, 2013**.

Because debtor/appellant is a California limited liability company, it cannot proceed in this action without licensed counsel. *See* Civil L.R. 3-9(b); *Rowland v. California Men's Colony*, 506 U.S. 194, 202 (1993) ("[A] corporation may appear in the federal courts only through licensed counsel. . .

1 . [T]he rationale for that rule applies equally to all artificial entities.”). **Accordingly, the Court STAYS**
2 **the action for sixty (60) days, until Friday, February 14, 2014, in order that debtor/appellant may**
3 **obtain replacement counsel.** Mr. Ergur is advised that he may not appear in court on behalf of 900
4 Linden Block Development, LLC without counsel of record for debtor/appellant.

5 The stay will be lifted upon request of debtor’s new counsel, when/if counsel makes an
6 appearance. Alternatively, if new counsel for debtor does not appear prior to the end of the stay, counsel
7 for defendant/appellee may make a motion to dismiss for failure to prosecute.

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9 **IT IS SO ORDERED.**

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11 Dated: December 16 , 2013

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SUSAN ILLSTON
14 United States District Judge
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